

FOR: County Offices

Waiver for Mid-Contract Management Activities on CP21 Filter Strips

Approved by: /s/ Donald L. Hunton, Acting State Executive Director

1 Overview

A Background

Recently, the Indiana State Committee, with support from the Indiana State Technical Committee, requested special authority be granted to exempt mid-contract activities from CP21, Filter Strips. The request was approved by the FSA National Office. The subject memorandum can be found in Exhibit 1 of this Notice.

B Purpose

The purpose of this Notice is to serve as notification of procedural updates. This notice provides County FSA Offices in USDA Service Centers with revised policy on waiving mid-contract management activities on CRP Practice CP21 Filter Strips.

This Notice has the concurrence of the Indiana NRCS.

2 Explanation of Exhibit

A Exhibit 1

On December 19, 2008, the Indiana State FSA received an approval memorandum from the FSA National Office. This memo provides new policy to exempt mid-contract management activities from CP21, Filter Strips. The approval was based on the following justifications:

- Wildlife is no longer a purpose for the installation of filter strips;
- Mid-contract management reduces the soil erosion and filtering benefits of the CP21 practice;
- Disturbing of filter strips in floodplain areas increases scour and gully erosion;
- Mid-contract management activities have discouraged landowners from enrolling and/or establishing these acres under CRP.

Disposal	Distribution
Until Superseded	1 Per County Office

2 Explanation of Exhibit (continued)

B Exhibit 2

CRP participants must request a voluntary modification to their approved Conservation Plan of Operations (CPO) to waive the Mid-Contract Management (MCM) requirements for previously approved CP21 practices. Exhibit 2 CRP Program Plan Addendum for Waiver of Mid-Contract Management for CP21 shall serve as a modification to an approved CPO. All participants who signed the CRP-1 must agree to the CPO modifications and sign the Addendum in Exhibit 2 to allow removal of the scheduled MCM practices.

3 Implementation of Waiver Policy

A Unapproved CP21 Practices

For producers who have signed offers for CP21 filter strip practices that have not been approved by the FSA COC, the Conservation Plan of Operations (CPO) may be developed and/or revised by NRCS to exclude mid-contract management activities on the acreage to be enrolled as practice CP21.

If a participant wishes to voluntarily perform MCM activities on their CP21 Filter Strip practice, the CPO may be developed to include these activities and cost-share may be approved.

B Approved CP21 Practices

1. For approved CRP contracts and CPO's that have CP21 practices enrolled that include scheduled mid-contract management practices, the producer is still required to carry out all MCM activities as listed in the approved CPO. **FSA County Offices SHALL NOT distribute the Addendum attached as Exhibit 2 of this Notice unless it is voluntarily requested by the CRP participants. The Addendum SHALL NOT be sent as an attachment to a letter to all approved CP21 participants who are currently required to perform MCM activities.** If a CRP participant contacts the FSA County Office and requests a voluntary modification to their approved CPO, the addendum may be provided to the CRP participant(s).
2. FSA may include information regarding the option to revise an approved CPO that contains MCM activities for practice CP21 in their annual MCM notification letters. A sample MCM notification letter will be posted on the Indiana FSA Intranet site to provide updated language that may be included in the annual MCM notification letter.

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3 Implementation of Waiver Policy (Continued)

B Approved CP21 Practices (Continued)

3. FSA shall process the Addendum to modify an approved CPO to remove MCM activities for CP21 practices. Participants may contact either their FSA or NRCS office to obtain the Addendum. FSA shall:
 - a. Ensure that all years of scheduled MCM activities that are being waived are reflected in Box 7 of the Addendum form. For example, if MCM activities are scheduled to be completed in years 2009, 2010 and 2011 then all years must be entered in Box 7.
 - b. If there is more than one CRP practice scheduled on the CPO and the other practice acreage is included in the scheduled MCM acreage, then **ONLY** the CP21 acreage may be waived and the appropriate acreages must be completed in Boxes 8, 9 and 10. In addition, the original CPO must be revised to reflect the modified acreage remaining for MCM activities and the modifications shall be initialed and dated by the participants, NRCS and FSA. For example, if a participant had enrolled 2 acres of CP21 and 5 acres of CP33 on one CRP-1 contract. The CPO reflects 2.3 acres of MCM in years 2012, 2013 and 2.4 acres of MCM in year 2014. The producer may waive the 2.0 acres of MCM for the CP21, but would be required to complete the MCM activity on the 5.0 acres of CP33. Therefore, Box 8 of the Addendum should be completed as 7.0 acres, Box 9 should be completed as 2.0 acres and Box 10 should reflect 0. Then, the CPO should be pen and ink changed to reflect 1.7 acres of MCM in year 2012, 2013 and 1.6 acres of MCM in year 2014.
 - c. Ensure that all CRP-1 participants sign the Addendum.
 - d. Obtain NRCS District Conservationist signature.
 - e. Obtain COC (or appropriate designee) approval.
 - f. Provide a copy of the approved Addendum to NRCS.
 - g. Provide a copy of the approved Addendum to the CRP participants.
 - h. File original Addendum with the approved CPO.
4. Participants who voluntarily wish to continue with a scheduled MCM activity on their approved CPO for their CP21 filter strip practice may continue to do so and receive the applicable cost-share.

4 FSA County Office Action

FSA County Offices shall take the following action:

1. Review the contents of this Notice with NRCS and other Conservation Partnership staff working in the USDA Service Center.
2. Ensure that all CRP Conservation Plans of Operations approved by FSA comply with the terms of this Notice.

Indiana Notice CRP-09-01 Exhibit 1

DEC-19-2008 11:19

USDA FSA CEPD

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Farm and Foreign
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Services

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DEC 19 2008

TO: Kenneth Culp
SED, Indiana State FSA Office

FROM: John H. Carter III
FWP Program Manager *John H. Carter III*

SUBJECT: CRP - Request to Waive Mid-Contract Management Activities on CRP Practice CP21 (Filter Strips) – Your November 24 Memorandum

Based on the information submitted, your request is approved.

The Indiana FSA State Committee requests that special authority be granted to exempt mid-contract management activities from CP21, Filter Strips. The recommendation was based on the following:

- wildlife is no longer a purpose for the installation of filter strips;
- mid-contract management reduces the soil erosion and filtering benefits of the CP21 practice;
- disturbing of filter strips in floodplain areas increases scour and gully erosion;
- mid-contract management activities have discouraged landowners from enrolling and/or establishing these acres under CRP.

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TOTAL P.001



Waiver of Mid-Contract Management for CP21

Indiana – January 2009 (ver 1.0)

CRP Program Plan ADDENDUM

Provided by Farm Service Agency

1. CRP Participants:		2. CRP-1 No.:		3. Date:
4. Farm:	5. Tract:	6. Field(s):	7. Year(s) MCM is scheduled:	
8. Total original CRP acres scheduled for MCM:		9. Total original <u>CP21</u> acres eligible for waiver:		10. Modified/Revised <u>CP21</u> MCM acres:
This Plan Addendum is a Waiver of the MCM activities scheduled for CP21 Filter Strips Only				

This CRP Conservation Plan of Operation (CPO) Addendum modifies the Mid-Contract Management (MCM) activities acreage from the CP21-Filter Strips previously scheduled in the CPO (item #10 above).

This plan Addendum does not change current Maintenance requirements and restrictions, nor does it modify other previously scheduled MCM activities applicable to other CRP practices in this CPO.

By signing this Addendum, all CRP participants on the CRP-1 agree with this CPO modification. Furthermore, by signing this Addendum, all CRP participants agree that the modification will be in effect for the year(s) stipulated above.

I have reviewed this Conservation Plan modification and agree to follow the specifications.

_____	_____	_____	_____
(CRP Participant ₁)	(Date)	(CRP Participant ₂)	(Date)
_____	_____	_____	_____
(CRP Participant ₃)	(Date)	(CRP Participant ₄)	(Date)
_____	_____	_____	_____
(NRCS)	(Date)	(FSA)	(Date)

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